

PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

COMMISSION ADVISORY AND COMPLIANCE DIVISION RESOLUTION T-15848
Telecommunications Branch June 6, 1996

R E S O L U T I O N

RESOLUTION T-15848. GTE CALIFORNIA INCORPORATED.
REQUEST TO PROVIDE FIBER DISTRIBUTED DATA INTERFACE
SERVICE FOR ADVANTIS UNDER A CUSTOMER-SPECIFIC CONTRACT.

BY ADVICE LETTER NO. 7950 FILED DECEMBER 29, 1995.

SUMMARY

GTE California Incorporated (GTEC) requests authority under provisions of General Order No. 96-A (G.O. 96-A) and Decision Nos. (D.) 88-09-059 and 94-09-065 to provide Fiber Distributed Data Interface Service (FDDI) for Advantis under a customer-specific contract. FDDI is a non-tariffed service.

This Resolution authorizes GTEC's request. GTEC estimates that the annual revenue impact of this filing to be an increase of \$10,200. No protest to the Advice Letter was filed.

BACKGROUND

In D.88-09-059 the Commission adopted a modified Phase I Settlement. Under the provisions of the Settlement, the Local Exchange Companies (LECs) are allowed to provide non-tariffed service between LECs and customers under contract. The Settlement provides that such contracts become effective upon authorization by the Commission.

The process and requirements for filing of advice letters to request authorization of customer-specific contracts are set forth in Appendix A of D.88-09-059. Additional specifications for advice letter filings requesting authorization to provide service under contract are provided in Resolution Nos. T-13091 and T-13069.

D.90-04-031 further requires that special contracts comply with the principles of imputation, unbundling and nondiscriminatory access adopted in D.89-10-031 and that prices for monopoly utility services be based on their underlying costs. The Commission in D.94-09-065 clarified these principles and adopted other changes to the contracting requirements. The proposed contract complies with the contracting requirements.

GTEC filed Supplement A to AL 7950 on May 3, 1996 to clarify that the contract is for FDDI and does not include Multi-Media Data Service (MMDS).

FDDI is a local area networking technology for data traffic only. It is a shared media topology to serve as a means to manage Local Area Network (LAN) traffic. GTEC currently provides the customer five tariffed MMDS services. FDDI will replace four of the tariffed MMDS services.

Under the terms of the three year contract, GTEC agrees to provide FDDI for Advantis at a monthly rate of \$850.

GTEC estimates that the annual revenue impact of this filing to be an increase of \$10,200.

NOTICE/PROTESTS

GTEC has mailed a copy of Advice Letter No. 7950 and the related tariff sheets to competing and adjacent utilities and/or other utilities and to the customer named in the contract. The Advice Letter was listed in the Commission's Daily Calendar of January 8, 1996.

No protest to the Advice Letter was filed.

DISCUSSION

In reviewing Advice Letter No. 7950 as supplemented, CACD notes the following:

- a. GTEC requests in the Advice Letter that the workpapers and supporting cost documentation associated with the contract be treated as confidential.
- b. The rates and charges set forth in the contract cover the Long Run Incremental Cost of providing the service offered under the terms of the contract.
- c. The Advice Letter indicates that the costs and revenue associated with the contract will be tracked.

CACD concludes that the Advice Letter as supplemented meets the requirements set forth in the Commission Orders and G.O. 96-A and recommends that the Commission approve this filing. Commission approval is based on the specifics of the Advice Letter and the associated contract and does not establish a precedent for the contents of future filings or for Commission approval of similar requests.

FINDINGS

1. GTEC filed Advice Letter No. 7950 as supplemented requesting Commission authorization to provide FDDI, a non-tariffed service, for Advantis under a customer-specific contract.
2. The Advice Letter and the contract conforms to the requirements of Decision Nos. 88-09-059 and 94-09-065, Resolution Nos. T-13069 and T-13091, and G.O. 96-A.
3. GTEC states that authorization of this contract will result in an estimated annual revenue increase of \$10,200.
4. Commission authorization of the Advice Letter and the contract does not establish a precedent for the contents of future filings or for Commission approval of similar requests. Commission approval is based on the specifics of the contract.
5. The rates, charges, terms and conditions of the contractual service approved in this Resolution are just and reasonable.


June 6, 1996

THEREFORE, IT IS ORDERED that:

1. Authority is granted to make GTE California Incorporated Advice Letter No. 7950 as supplemented and the contract effective on June 7, 1996.
2. The Advice Letter and contract shall be marked to show that they were authorized by Resolution T-15848.

The effective date of this Resolution is today.

I certify that this Resolution was adopted by the Public Utilities Commission at its regular meeting on June 6, 1996. The following Commissioners approved it:


WESLEY M. FRANKLIN
Executive Director

P. GREGORY CONLON
President
JESSIE J. KNIGHT, Jr.
HENRY M. DUQUE
JOSIAH L. NEEPER
Commissioners

Commissioner
Daniel Wm. Fessler, being
necessarily absent, did not
participate.